



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW

In re Takashi SAITOH

Group Art Unit: 1751

Application No.: 10/532,685

Examiner: Tri V. Nguyen

Filed: April 26, 2005

Attorney Docket No.: 7412/84326

Confirmation No.: 4377

Customer No.: 42798

RESPONSE TO REQUIREMENT FOR ELECTION/RESTRICTIONS

Commissioner for Patents
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant responds to the Requirement for Election/Restrictions dated August 18, 2006, which requested Applicant to elect one of Groups I – II for prosecution on the merits.

Applicant traverses and respectfully submits Group I and II should be combined (re-joined). It is not seen that an undue search burden is demonstrable on the present record. A search applicable to all claims can be conducted, and such a search has already been conducted by another recognized searching authority. Upon present information and belief, the International Bureau has reported the International Search Report to the U.S. PTO and that such search results for all 25 claims are available to the Examiner. Clearly, another patent searching authority had the wherewithal to conduct a search as to all 25 claims. Furthermore, Applicants submitted the ISR as a courtesy to aid the Examiner herein.

In a further effort to reduce the search burden, Applicant has endeavored to submit timely Information Disclosure Statements to provide information for the Examiner's independent careful consideration.

Furthermore, Applicant courteously calls attention to the pragmatic suggestion in the MPEP Section 803 that all claims can be examined in one application even if such claims are directed to both independent and distinct inventions.

In Appln. of Takashi SAITOH
Application No.: 10/532,685
Response to Restriction Requirement

None-the-less, Applicant responds to the requirement subject to traverse by electing the claims in Group I.

As to any requirement to identify a species within formula (5) in claim 10 Applicant suggests consideration be given to the species in which R¹⁰ is methoxy, R¹¹ is a sulfonic acid group, R¹² is hydrogen, and R¹³ is hydrogen. It would appear the species relates to all Group I claims.

Favorable action on the merits is respectfully solicited.

Respectfully submitted,



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Date: **September 13, 2006**

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